

03- *R* -0251

Entered - 02/27/02 - sb
CL0210160 - DIANNE C. MITCHELL

CLAIM OF: **E. RONALD FINGER, M.D.**
5356 Reynolds Street
Suite 505
Savannah, Georgia 31405-4411

For damages alleged to have been sustained as a result of the death
of claimant's daughter in a vehicular accident on September 14, 2001
at Piedmont and Auburn Avenues.

THIS ADVERSED REPORT IS APPROVED

BY:

Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL MAR 03 2003

ADVERSE REPORT

COMM:

Public Safety

DATE:

2-25-03

CHAIR:

Chela Kessler

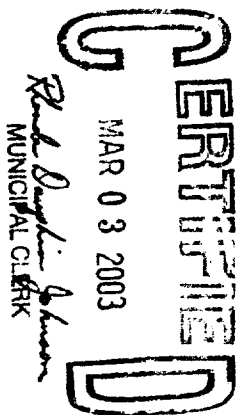
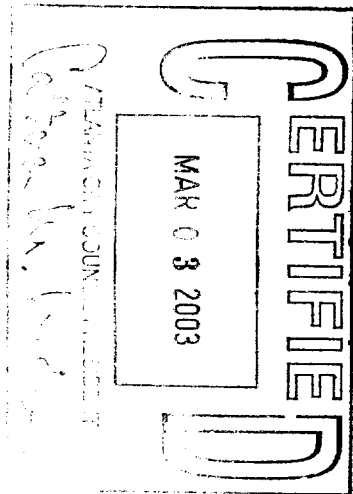
C. T. Martin

Wayne W. W. W.

[Signature]

[Signature]

[Signature]





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

March 17, 2003

E. Ronald Finger, M.D.
5356 Reynolds Street
Suite 505
Savannah, GA 31405-4411

03-R-0251

Dear Dr. Finger:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 03, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson
Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0160

Date: February 5, 2003

Claimant /Victim E. RONALD FINGER, M.D.
BY: (Atty)(Ins. Co.) _____
Address: 5356 Reynolds Street, 505, Savannah, Georgia 31405-6012
Subrogation: _____ Claim for Property damage \$ _____ Bodily Injury \$ Not Stated
Date of Notice: 02/15/02 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 09/14/01 Place: Piedmont and Auburn Avenues
Department Planning Division: Housing
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that his daughter was killed when a building collapsed on her vehicle. The investigation determined that the vehicle the claimant's daughter was driving left the roadway and collided with a building after it was involved in a vehicular accident with a privately owned vehicle. After the claimant's daughter's vehicle struck a support post on the building, the brick facade to collapsed onto her vehicle. Neither the City of Atlanta, nor its employees contributed to the death of the claimant's daughter.

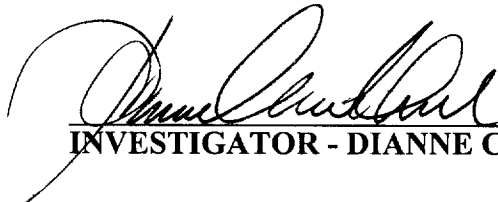
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____
Claims Manager:  Concur/date 02-06-03
Committee Action: _____ Council Action _____

RCS# 4504
3/03/03
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1 Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT 1

3/03/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 03-O-0154
2. 03-O-0155
3. 03-O-0156
4. 03-O-0157
5. 03-O-0158
6. 03-O-0159
7. 03-O-0227
8. 03-O-0230
9. 03-O-0231
10. 03-O-0278
11. 03-R-0232
12. 03-R-0285
13. 03-R-0216
14. 03-R-0222
15. 03-R-0309
16. 03-R-0226
17. 03-R-0283
18. 03-R-0284
19. 03-R-0324
20. 03-R-0237
21. 03-R-0238
22. 03-R-0239
23. 03-R-0240
24. 03-R-0241
25. 03-R-0242
26. 03-R-0243
27. 03-R-0245
28. 03-R-0279
29. 03-R-0280
30. 03-R-0281
31. 03-R-0282

**Items Adversed on the Consent
Agenda**

32. 03-R-0244
33. 03-R-0246
34. 03-R-0247
35. 03-R-0248
36. 03-R-0249
36. 03-R-0250
37. 03-R-0251
38. 03-R-0252
39. 03-R-0253
40. 03-R-0254
41. 03-R-0255
42. 03-R-0256
43. 03-R-0257
44. 03-R-0258
45. 03-R-0259
46. 03-R-0260
47. 03-R-0261
48. 03-R-0262
49. 03-R-0263
50. 03-R-0264
51. 03-R-0265
52. 03-R-0266
53. 03-R-0267
54. 03-R-0268
55. 03-R-0269
56. 03-R-0270
57. 03-R-0271
58. 03-R-0272
59. 03-R-0273
60. 03-R-0274
61. 03-R-0275
62. 03-R-0276
63. 03-R-0277

Consent I Vote: 12 Yeas; 0 Nays: (See RCS #4504)
Item Removed from the Consent Agenda: 03-R-0321